

October 30, 2007

MINUTES OF THE CITY COUNCIL MEETING HELD OCTOBER 30, 2007

A Work Session Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, October 30, 2007, at 6:05 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Steven R. Taylor, Mayor
Brenda S. Pelham, Vice Mayor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
E. Randy Sealey, Councilor
N. Gregory Cuffey, Councilor

Edwin C. Daley, City Manager
Ann M. Romano, City Clerk

ABSENT: Edwin N. Wilmot, City Attorney

Mayor Taylor opened the meeting at 6:05 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey	-	present
Councilor Harris	-	ABSENT (arrived at 6:07 PM)
Councilor Emerson	-	present
Councilor Sealey	-	present
Councilor Cuffey	-	present

PROPOSAL FROM SHERIFF ANDERSON

Sheriff Anderson indicated that Judge Nye encouraged running selective speed law enforcement on the two miles of I-295 located within the City limits of the City of Hopewell. During the past month the Sheriff dispatched two deputies to observe speeds at that location. Speeds of 80 to 90 mph, or more, were commonplace. As a result, he has had a deputy writing speeding tickets on I-295.

The District Courts Local Revenue Summary, July 1, 2004 - June 30, 2005 - Fines and Forfeitures:

Greensville General-J&DR	\$2,129,748
Hopewell General-J&DR	\$ 56,470
Sussex General-J&DR	\$ 442,117

The same information for July 1, 2005 - June 30, 2006:

Greensville General-J&DR	\$1,997,953
Hopewell General-J&DR	\$ 70,983
Sussex General-J&DR	\$ 835,349

As you can see, Sussex County fines doubled in the one fiscal year. All fines go into the County or City treasury. The Sheriff and Judge looked at this long and hard. They set up an experiment of 100

cases over the last 30-40 days and 25-30 man hours. The speeding tickets netted the City approximately \$25,000. 70-75% of those tickets (80 mph and above) are from all up and down the East Coast. The ticket fine is \$5.00 per mile over the speed limit. Of the 70% of the out-of-town tickets, 50% have been pre-paid. If they come to court, the Judge is allowed to assess a much higher fine.

Sheriff Anderson requested two part-time deputies and one additional car. That eliminates the benefits package that would be required for one full-time deputy. The salaries would start at about \$19,000 per year, and the cost of the car would be about \$30,000. The cost of the salaries should all be paid for in the first 4-6 weeks of the program. They will probably bring in between \$500,000-\$1,000,000.

DISCUSSION: The tickets would be written for infractions on the two miles of I-295 located within the City of Hopewell. The Sheriff's Department and the Police Department have many duplicate duties. The duties of the Sheriff's Department are not limited to serving papers and guarding the courthouse. Since I-295 has been there, the Police Department has not run radar there. There are times when court ends early and the Sheriff's Deputies have time and they can run radar. There was some Council concern about "speed traps." But 80 mph and above could not and would not be considered a "speed trap." There have been three fatal accidents on the South side of I-295. The Virginia State Police were happy to hear that the Hopewell Sheriff's Department was out there with radar. If they do this on a permanent basis, they will need to develop a policy. There will be no high speed chases without contacting the Virginia State Police. No additional clerical assistance would be needed to process the fines each year. Hopewell would have no problem with the staff they presently have. Chief Baxley indicated that the Police Department has no desire to run radar on I-295. They have no manpower to do it. They would be happy to help with the Pursuit Policy, however.

Judge Nye was commended for his foresight, safety and revenue binder. Page 2 of the handout explains the advantage of using Sheriff's Deputies vs. Police Officers. Other localities write tickets at 77 or 78 mph. There is a problem with trucks on I-295. Two Council members travel 295 everyday and see speeding first hand. The Sheriff was applauded for his efforts. Perhaps some consideration should be given to earmark a portion of that money for Historic Hopewell Foundation. If there are serious problems with safety, perhaps they should be addressed at budget time. Four of the nine Sheriff's Deputies are police certified and another will be in January.

UPDATE ON DEVELOPMENT PROJECTS - MARCH ALTMAN, ASSISTANT CITY MANAGER

a. S. L. Nusbaum - Doug Smith

Mr. Smith reported that Nusbaum received the Demand Study back. The impact on Ft. Lee will influence the housing market. They have begun crafting a document. They have discussed the 50-acres, and have a high comfort level for a high-end product. They appreciate the City's political and financial patience with the Bluffs site. They are very comfortable with the 100+ high-end multi-family units. The areas by the water should be preserved.

Mayor Taylor remarked that the group seems ready to move forward. He further inquired what the response would be to Council putting out a bid to The Bluffs. Nusbaum responded that they would be happy. They would only accommodate 180 units. There have been negotiations with Riverside Park Apartments, and are keeping that confidential so far.

What Council saw last time showed the property that Council discussed as belonging to Weston Manor; they showed a retainment pond. Mr. Smith indicated that Nusbaum heard that message loud and clear. The space they have to work with may affect their timing. The feedback on the street was that now

was not the right time for the Bluffs site. Council saw those as \$300,000-400,000 home sites. Nusbaum does not do single-family houses. They do not want to mess anything up if the City sends out an RFP to see what comes back. Let them develop a strategy beginning with the Bluffs and Weston Grove.

Dr. Daley asked: (1) Is Nusbaum ready to put the Bluffs out to proposal, or are you ready to let them go out to proposal for the entire area? (2) Does Nusbaum want to proceed to negotiate for part of the Ferguson property and then let the private side of the property continue their on-going negotiations? If you want to improve the quality of housing in the community, then you need some combination thereof.

Mr. Smith stated that if the Bluffs is single-family units, 60-80 units will come out of the equation. Nusbaum and staff are far enough along that they could run this parallel.

b. Wal-Mart - March Altman, Assistant City Manager

Administration is working to attract this business to the City of Hopewell. They are continuing to work with some land owners in the area. They will continue to work towards those efforts. They have made some significant strides. Time lines: negotiations - should have good news in a few months.

c. Human Services Building - March Altman, Assistant City Manager

Congressman Forbes is aware of the space needs of the Social Services Departments. He recently talked with the Hopewell Social Services Department and Health Department. They are reviewing proposals and Council will review them also. It will be put out for 45 days for further review. Then someone will be selected. Contact has been made with several entities expressing interest in building a Human Services Building.

d. Other:

Mallonee School

A draft Development Agreement will be crafted. It will be on the Council agenda for their meeting on November 27, 2007 to set a Public Hearing. There will not be a public hearing on November 27th.

Streetscape

There was additional discussion about the Streetscape on Broadway and whether there is something else Council will be looking at on East Broadway. Mr. Butler will provide a report at a later time. The limitations that were removed can be put back, and the Streetscape Package can be put back on the street. If so, it should be done before Messer leaves town. Administration will work on the package for Council to be on the agenda for the November 27th meeting. It was also suggested that the project be looked at as a whole and not just the street. It could be discussed at a Work Session or at a Council meeting.

Anchor Point

Johnnie Butler reported that Anchor Point is getting sewer for single-family homes and townhouses. That must be done before issuing building permits. The project has reached that level of approvals. Section B is single-family, and Section C is the townhouse section. The pool house facility is under construction. It should be finished in January 2008. They will come back in May for the Memorial Day Weekend Grand Opening. Regarding the Street Lighting Project on Anchor Point Boulevard, they

are trying to get more concrete poles. They are coming from Canada and that is the hold up. The City will be issuing building permits at Anchor Point; the builder is ready to begin.

Cameron's Landing

All curb and gutter is at the entrance; water mains are in; sewers are in; and roads will go in next. The contractor wants to build a model home park with five model homes. It should be in construction by January 2008. Anchor Point's total units are 49 single-family homes and 75 townhouses. Mr. Butler will release 25 single-family and 34 townhouses. There are over 300 proposed units. Cameron's Landing will have a total of 150, and Anchor Point will have a total of 450 units. (Dr. Daley pointed out that on pages 13-14 of Mr. Bragg's BRAC report, the impact is 300-400 housing units. Mayor Taylor stated that the investment the City has made will make that community attractive.)

PLANNING GRANT - ED DALEY, CITY MANAGER

The City of Hopewell submitted an application for a Research Center Grant to the Commonwealth last spring. This was denied because it did not meet the project guidelines. Local industry did not support chemical research activities and the state was not willing to fund a nutrient research project. The funds for this project have been eliminated from the state budget as part of the reduction process.

The Commonwealth is willing to fund a Planning Grant to explore the feasibility of creating a center with a new focus. They recommend that this be done on a regional basis in concert with BRAC. The state is not willing to fund the proposal to use the grant for ethanol research, tourism development or downtown revitalization. Because of our lack of coordination and the loss of funding, the state is not required to fund anything. They have indicated a willingness to consider a proposal to evaluate a regional center to support logistics research related to expansion at Fort Lee. Dr. Daley has asked Denny Morris and Renee Chaplin for assistance with grant administration activities.

We are requesting authorization to work with the Crater District Planning Commission and Virginia's Gateway to submit a proposal for the planning grant. This could be coordinated with the modeling and simulation activities in Hampton Roads and the workforce training funds available through the U. S. Department of Labor. It is further proposed that the District Commission be authorized to submit the application on the city's behalf. The grant would be administered by the city or the Commission subject to state preferences.

Dr. Daley provided Research Planning Grant background. The \$750,000 is no longer in the state budget. The state did say they would consider a planning grant to determine the feasibility of a Logistics Center related to the BRAC expansion projects.

When this was first mentioned, the idea was that the City would partner with the university and industry. The university would benefit by getting research grants. Industry would benefit from research. State representatives showed examples of how they could work. During their last visit with Congressman Forbes, he made the point that we would be wise to capitalize on BRAC, Langley Air Force Base and Suffolk. It could be good for the city of Hopewell and the region. We should move forward with recommendations to pursue those areas.

The Governor may cut Research & Development Centers. A suggestion was made not to exclude industries to benefit from research.

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Councilor Harris went to Richmond at the request of Councilor Bailey and those concerned about the research facility. Time was almost up to make an effort for a grant. He found out that we could not get the grant, but that we might be able to get something that would help develop a proposal. Mayor Taylor supports moving forward with planning a grant for BRAC. We should consider a narrow focus.

Councilor Bailey wished to provide a clarification. Industry leaders received an explanation from Lynchburg. Proprietary information was of grave concern. They embraced the concept. This can profit the industry as well. We should not turn our backs on our industries. She supports the R&D center. The money has been taken away. Tapping into the simulation money is a good idea.

Mayor Taylor indicated to the City Manager that four Councilors favor focusing on a logistics model.

UPDATE ON BRAC COMMITTEE - HERBERT BRAGG, PAC

Mr. Bragg provided Council with an update on the Base Realignment and Closure activities, commonly referred to as BRAC. On October 29, 2007, the City held its first local Joint School & City BRAC Taskforce Meeting at the School Board's Office Training Room. The meeting was chaired by Dr. Winston Odom, School Superintendent and Mr. Bragg as Co-Chair acting as the City Manager's representative.

The Taskforce group consists of approximately 38-40 members, including two member of Council (Vice Mayor Brenda Pelham and Councilor Kenneth Emerson). The purpose of this Taskforce is to "establish and develop a comprehensive plan that will address the physical, economic, and human capital needs that will impact the City of Hopewell's infrastructure, education, and economic growth as a result of the BRAC transition."

The following documents are filed in the City Clerk's Office: (1) An agenda for the local Taskforce meeting that was conducted on Monday, October 29, 2007; (2) A document entitled Fort Lee BRAC Update, presented to the local Taskforce by Mr. Denny Morris, Executive Director, Crater Planning District Commission; (3) A document entitled Joint School & City BRAC Taskforce 10/29/07; (4) A document entitled An Economic Impact Analysis of Fort Lee 2006-2013; (5) A Press Release from Congressman J. Randy Forbes's office entitled "Forbes Unveils Fort Lee Economic Impact Study Showing Significant Economic Benefit to Region;" (6) A document entitled Virginia Gateway Region, which speaks about the launching of a BRAC Webpage at www.gatewayregion.com/brac.htm; and (7) A document entitled Crater Procurement Assistance.

The next local Joint School & City BRAC Taskforce Meeting will be on Monday, December 10, 2007 at 4:00 PM at the School Board Office Training Room.

DINWIDDIE AVENUE PROJECT UPDATE - JOHNNIE BUTLER, CITY ENGINEER

Johnnie Butler, City Engineer provided a Curb & Gutter Estimate on Dinwiddie Avenue from Courthouse Road to Spring Road. He provided a template for the proposed Dinwiddie Avenue improvements. It is a 40-ft right-of-way with a 30-ft road section (face of curb to face of curb). Sidewalk is only on one side of the street. This will be fine for the subject neighborhood and his assessment of the corridor public facility needs. Mr. Butler selected the sample template whereby the sidewalk would be installed on the west side of the street. The west side was chosen for several reasons, but the west side is more accommodating and presents fewer challenges and a better fit.

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The project is typically 3,005 linear feet in length by 40 foot wide. The total project width will include varying widths of transition grading behind the new features. Provided in the listing are the major component breakdowns with estimated pricing for each. Please keep in mind that this is a quick estimate for discussion purposes only.

1. Engineering (Scoping, PE & Plan Preparation)	\$ 45,000
2. Field Engineering (PL Surveying/Curb Stake-out)	\$ 24,000
3. Clearing/Grubbing/Tree Removal	\$ 15,000
4. Various Right-Of-Way Acquisition	\$ 25,000
5. Utility Relocations	\$ 30,000
6. Utility Adjustments	\$ 40,000
7. Transition Grading Behind Curb & Sidewalk	\$ 30,000
8. Drainage Culvert Upgrades/Replacements	\$ 15,000
9. Entrance Aprons	\$ 28,000
10. Raise Road Section Thru Sag Section	\$ 25,000
11. Zones of full width paving	\$ 20,000
12. Remove Existing Drive Pipes	\$ 2,000
13. Install New Road Section Template (3,005 LF)	<u>\$300,500</u>
	Sub-Total
	\$599,500
14. Project Administration, Bid Preparation, PM - 15%	\$ 89,925
15. Required Project Contingency - 10%	<u>\$ 59,950</u>
	<u>Total Estimate</u>
	<u>\$749,375</u>

Mr. Butler also reported on the new project on Dinwiddie Avenue. The new development permits have been issued to the contractor for 10 new houses. One house was relocated to a new lot. He also discussed the Capital Improvement Project on Dinwiddie Avenue. He discussed problems at the intersection at Courthouse Road. There are drainage problems at the same intersection. They would have to be identified as Capital Improvement Projects, and a funding source would have to be identified. The full length of it would have to be done. The project is proposed to run from Courthouse Road to Spring Street.

Regarding why the Dinwiddie Avenue project was selected, Mr. Butler indicated that he was asked to come up with the proposal; he did not come up with it himself. There were Council concerns as far as trying to develop the City in a more even manner. There are other areas that Council has been trying to develop, such as Arlington Heights, and the only thing we can get done in Arlington Heights is with the use of CDBG funds. Mr. Butler has been working with a lot of builders there. They are subdividing some lots, etc. Every year Council is confronted with this type of situation. As Council targets certain streets, Council can decide which ones to fund. There is a need for curb and gutter and drainage issues in many areas; they all must be prioritized.

Councilor Cuffey thanked Dr. Daley and Mr. Butler. He asked about this issue on behalf of his constituents. Dinwiddie Avenue will be excited about it.

There is a 40 ft. right-of-way with variable 16-18 ft. with very limited parking. There are many driveways in the neighborhood. The project includes curb cuts. Mr. Altman explained that the MPO gets money for Regional STP funds. This road did not qualify for either of those two funds. Mr. Butler was unaware of any citizens in the 50/50 Program. That was 15 years ago. The City needs to look at the real costs; and needs to get everyone to participate.

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Dr. Daley indicated that we can look at any project that Council would like but we will take care of most serious issues first. Mayor Taylor stated that in the past Council has gone on a Capital Projects tour. Perhaps that can be planned as part of the next budget process.

POLICE CHIEF SELECTION - VICE MAYOR PELHAM

Dr. Daley reported that there are currently three viable Police Chief candidates. He will continue to talk to them and he will make a decision in about a week. He should have something to report at the Council meeting on November 27th.

DISCUSSION OF COUNCIL MEMBER RELATIONS

Vice Mayor Pelham and Councilor Bailey met with Dr. Daley on October 26, 2007 about the communication within the City Council. If there are issues that the City Manager is speaking to the Mayor about, the Vice Mayor expects to hear it from the City Manager. She would like to know about issues that are going on.

Councilor Bailey also feels that there is a problem with communication on this Council. At the VML Conference a year and a half ago, that was the number one topic of discussion. Communication is the best way to come across as a well-informed civil Council. Last Friday Councilor Bailey filled in for Vice Mayor Pelham as a guest speaker in Hopewell High School's government classes. The City's Organization Chart that was provided by administration contains errors. It looks as if the voters elect the Mayor, when in fact Council members appoint the Mayor. *(The Mayor suggested that the City Manager should look at how other localities have their organization charts. He was asked to put together styles of Organizational Charts before the next Council meeting to add to the agenda for November 27th.)* Councilor Bailey indicated that the color coding of the Organizational Chart is confusing. It has not been updated since 2006.

Councilor Sealey addressed the Council communication issue and pointed out that the interruptions and comments among Council are sometimes embarrassing to him. There are three administrators under the direct charge of City Council: the City Manager, City Attorney and City Clerk. Councilor Sealey has observed much disrespect in e-mails towards the City Manager and the City Attorney. He feels that Council can disagree without being disrespectful. Council should be respectful in all media. He has observed some Council members to be threatening, bossy and condescending. The disrespect makes him unhappy.

Council is held to a higher standard, but Administration is also. Councilor Bailey's issue is lack of integrity of some. She tries to address it in a civil manner. Administration answers to City Council. Remembers that this is "*The **Honorable** City Council.*" Respect what has been said. Keep fair and show the people that we have integrity. Mrs. Gilliam says that the lack of integrity among City Council is embarrassing to her. Council members or administrators are bound by what Council said. Last Friday she saw many high school students; she did not preach about honor. Those students will be looking at City Council. What is their impression? Some people forget to keep their word.

ADJOURN

At 9:11 PM **motion** was made by Councilor Sealey, and seconded by Councilor Harris, to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Emerson	-	yes
Councilor Sealey	-	yes

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Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes

Steven R. Taylor, Mayor

Ann M. Romano, City Clerk